

#450
BILL NO. Z-90- 11-18

ZONING MAP ORDINANCE NO. Z- Loch

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

1. SECTION 1. That the area described as follows is
hereby designated a B-3-B (General Business District) under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lot numbered 10 in William G. Ewing's Administrators
Addition to the City of Fort Wayne, Allen County,
Indiana, according to the recorded plat of said
addition.

Lot numbered 11 in William G. Ewing's Adiminstrators
Addition to the City of Fort Wayne, Allen County,
Indiana, according to the recorded plat of said
addition.

Lot numbered 12 in William G. Ewing's Adiminstrators
Addition to the City of Fort Wayne, Allen County,
Indiana, according to the recorded plat of said
addition.

and the symbols of the City of Fort Wayne Zoning Map No. L-
2, as established by Section 11 of Chapter 33 of the Code of
the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. F. D. McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Long, seconded by Julius, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 11-13-50

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Henry, and duly adopted, placed on its passage. ~~PASSED~~ lost by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	<u>P</u>	_____	<u>1</u>
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____
<u>EDMONDS</u>	_____	<u>✓</u>	_____	_____
<u>GIAQUINTA</u>	_____	<u>✓</u>	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____
<u>LONG</u>	_____	<u>✓</u>	_____	_____
<u>REDD</u>	_____	<u>✓</u>	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	<u>✓</u>
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____

DATED: 12-11-50

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

No 7348

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 10-4 19 90

RECEIVED FROM Barry Staley \$ 100.00

THE SUM OF one hundred & 00/100 DOLLARS

ON ACCOUNT OF Rezone B-3 to 163B

1213-17-21 Fairfield

#1092

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE [Signature]

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We BARRY W STALEY AND LYNDA C. STALEY

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R3 District to a/an B3B District the property described as follows:

Lot numbered 10 in William G. Ewing's Administrators Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat of said addition.

Lot numbered 11 in Williams G. Ewing's Administrators Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat of said addition.

Lot numbered 12 in William G. Ewing's Administrators Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat of said addition.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 1213 Fairfield Avenue, Fort Wayne IN

1217 Fairfield Avenue, Fort Wayne IN

1221 Fairfield Avenue, Fort Wayne IN

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

BARRY W STALEY

1223 Fairfield Ave, Fort Wayne IN

LYNDA C. STALEY

1223 Fairfield Ave, Fort Wayne IN

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____ (OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

BARRY W. STALEY

1223 Fairfield Ave, Fort Wayne IN 219/426-0513

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 13, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-90-11-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 19, 1990.

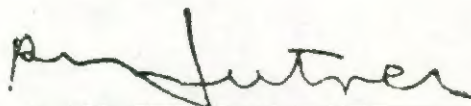
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 26, 1990.

Certified and signed this
27th day of November 1990.


Robert Hutner
Secretary

#450
ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1213, 1217 and 1221 Fairfield Av

2-90-11-18

EFFECT OF PASSAGE Property is presently zoned R-3 - Multi-Family Residential.

Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

FACT SHEET

Z-90-11-18

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment
From R-3 to B-3-B

DETAILS

Specific Location and/or Address 1213, 1217 & 1221 Fairfield Av
Reason for Project Construction of a laundromat.
Discussion (Including relationship to other Council actions) 19 November 1990 - Public Hearing Barry Staley, petitioner stated that he had purchased the lots with the idea of putting a laundromat on the property to service the renters that he has in the adjacent house. He stated that it would not be a large one but one that would handle the need of the area residents. He stated that there is no laundry facility in the area. He stated that he had purchased the lots after they had set vacant for 5 to 7 years. He stated that there was five to six thousand dollars in back taxes owed on the lots when he purchased them. He stated that the area is deteriorating quickly, and if these lots continue to set no one is going to develop them. There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/Proponents	Applicant(s) Barry W & Linda C Staley City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

26 November 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the nine (9) members present, eight (8) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 4 October 1990

Projected Completion or Occupancy

Date 27 November 1990

Fact Sheet Prepared by

Patricia Biancaniello

Date 27 November 1990

Reviewed by

L. M. / 1038

Date 11-28-90

Reference or Case Number

BILL NO. Z-90-11-18

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. L-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

DATED: 12-11-90

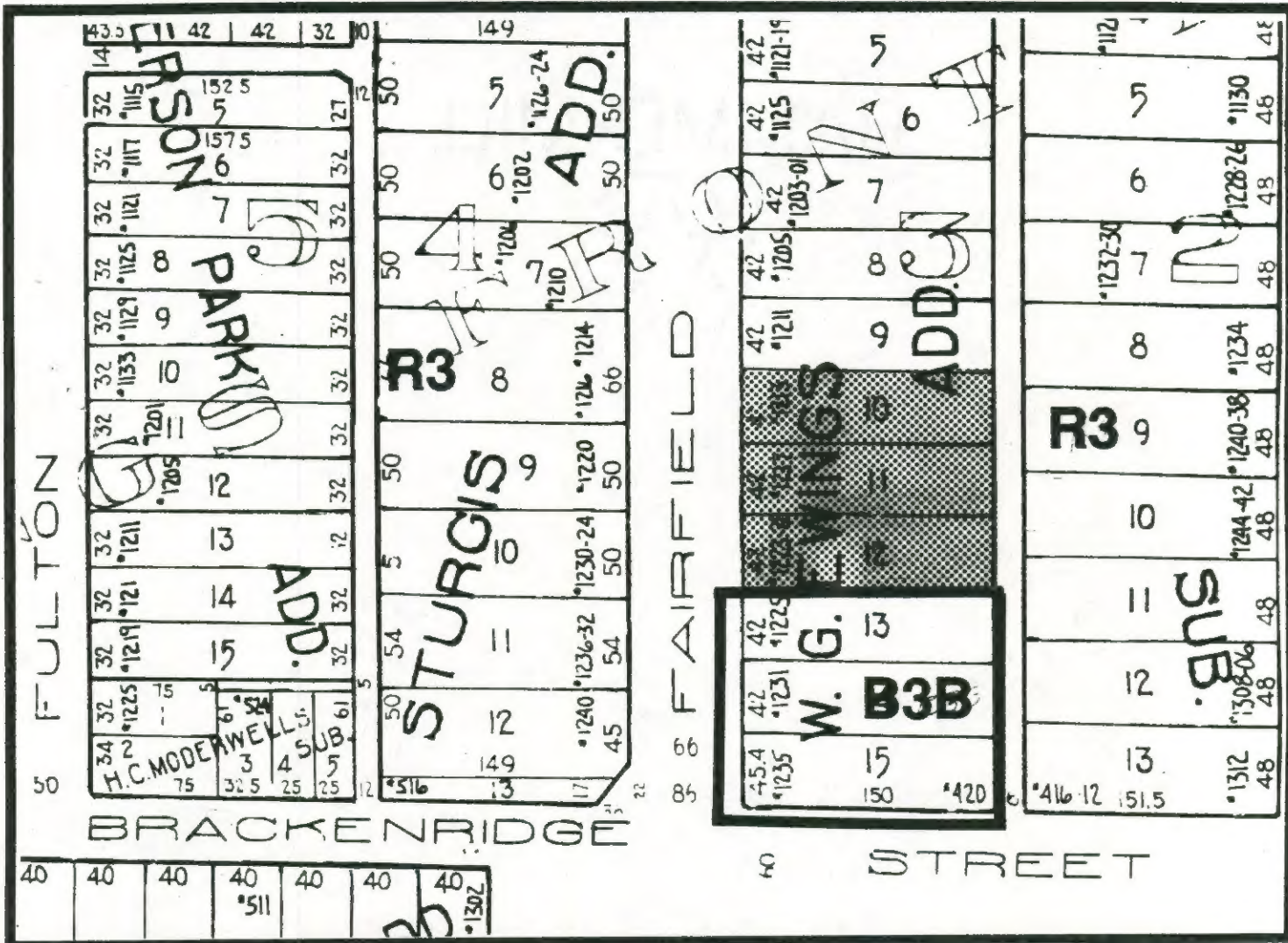
Sandra E. Kennedy
City Clerk

REZONING PETITION # 450

**A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED
PROPERTY FROM A R3 DISTRICT TO A B3B DISTRICT.**

MAP NO. L-2

COUNCILMANIC DISTRICT NO. 1



ZONING:

R3 RESIDENTIAL DISTRICT

B3B GENERAL BUSINESS "B"

LAND USE:

☐ **COMMERCIAL**☐ SINGLE FAMILY

SCALE: 1"=100'

DATE: 10-29-90

